

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

Erika McGhee,

Plaintiff,

v.

Delanor, Kemper & Associates, LLC,

Defendant.

Case No. 2:09-cv-564-LA

**MOTION FOR CLERK'S ENTRY OF  
DEFAULT**

Now comes Plaintiff, by and through counsel, and hereby moves the Court for an order instructing the Clerk of Court to enter the default of Delanor, Kemper & Associates, LLC ("DKA") for failure to plead or otherwise defend this action.

**MEMORANDUM**

After being served with a summons and complaint, a defendant must serve the plaintiff with an answer or other responsive pleading within 20 days. Fed. R. Civ. P. 12(a)(1)(a)(i).

Where a defendant fails to timely plead or otherwise defend an action, the Clerk of Court must enter the defendant's default. Fed. R. Civ. P. 55(a).

A process server served DKA with the summons and complaint in this action on July 22, 2009. *See* Doc. 4. As such, DKA's responsive pleading was due on August 11, 2009. Fed. R. Civ. P. 12(a)(1)(a)(i). As of today's date, DKA has failed to serve Plaintiff with a responsive pleading. *See attached* Affidavit. Plaintiff has failed to plead or otherwise defend this action.

THEREFORE, Plaintiff requests this honorable Court to order the Clerk of Court to enter DKA's default upon the record.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.  
Attorneys for Plaintiff

By: /s/ Timothy J. Sostrin  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 14, 2009, I served Defendant with a copy of the foregoing Motion for Clerk's Entry of Default by depositing a copy of the same in U.S. Mail, addressed as follows:

Delanor, Kemper & Associates, LLC  
c/o Michael S. Goode, Registered Agent  
5 South Public Square  
Cartersville, GA 30120

/s/ Timothy J. Sostrin